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IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF UTAH, CENTRAL DIVISION

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UNITED STATES OF AMERICA,

Plaintiff,

vs.

AARON MICHAEL SHAMO,

Defendant.

Case No. 2:16-cr-631DAK

NOTICE RELATING TO EXPERT  
TESTIMONY PURSUANT TO  
Fed.R.Crim.Pro. 16(a)(1)(G) AND  
Fed.R.Evid. 702

Judge Dale A. Kimball

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The United States of America, by and through Special Assistant United States Attorney Michael Gadd, and pursuant to Rule 16(a)(1)(G) of the Federal Rules of Criminal Procedure and Rule 702 of the Federal Rules of Evidence, hereby provides to the defendant the following notice relating expert testimony the United States may offer in the trial of this case. The United States hereby offers this notice regarding the potential expert testimony of Dr. Stacey L. Hail, MD, FACMT. The summary of the testimony of this witness and the basis for her testimony is listed below.

A. **Rule 16(a)(1)(G) Summary:** Dr. Hail may offer expert testimony on the following subjects:

*Manner and Means of the death of R.K.*. Dr. Hail will offer detailed expert testimony about the manner and means of the death of R.K, occurring on June 13, 2016. Dr. Hail will testify that she reviewed all relevant reports with regard to R.K.'s death including an autopsy report, a toxicology report, and police reports detailing the location of the death and interviews with witnesses. She will testify that fentanyl and other substances such as alcohol were found in the blood of R.K. She will testify that upon examination of the body, there were no signs of trauma or pre-existing conditions that would have led to the death of an otherwise healthy 21 year old male. She will testify that in her expert medical opinion, fentanyl was the "but for" cause of R.K.'s death. A copy of Dr. Hail's Report, dated April 25, 2018 was previously provided to defense counsel, bates numbered pages 004-007-030-00207 through -00219 (13 pages). She will testify in further detail as to the contents of that report.

B. **Expert Qualifications:** Rule 702 of the Federal Rules of Evidence provides that:

A witness who is qualified as an expert by knowledge, skill, experience, training, or education may testify in the form of an opinion or otherwise if:

- (a) the expert's scientific, technical, or other specialized knowledge will help the trier of fact to understand the evidence or to determine a fact in issue;
- (b) the testimony is based on sufficient facts or data;
- (c) the testimony is the product of reliable principles and methods; and
- (d) the expert has reliably applied the principles and methods to the facts of the case.<sup>1</sup>

A copy of Dr. Hail's professional biography may be found at <https://utswmed.org/doctors/stacey->

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<sup>1</sup> FRE 702.

hail/. Her professional biography establishes her qualification to testify with regard to the above-described matters. Dr. Hail will testify in detail with regard to her education, training, and experience as a Medical Doctor and Toxicologist.

RESPECTFULLY SUBMITTED this 26th day of November, 2018.

JOHN W. HUBER  
United States Attorney

/s/Michael Gadd  
MICHAEL GADD  
Special Assistant United States Attorney